

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ARCELIO JOSEPH REYBOL,

Plaintiff,

v.

ONTRAC LOGISTICS, et al.,

Defendants.

Case No. [24-cv-00389-TSH](#)

**ORDER TO SHOW CAUSE**

Plaintiff Arcelio Joseph Reybol filed this action and an application to proceed in forma pauperis (“IFP”) on January 23, 2024. ECF Nos. 1, 2. However, Plaintiff’s IFP application is incomplete and incomprehensible. For example, in response to Question No. 2, Plaintiff appears to indicate he receives money from a business, profession, or self-employment as well as income from stocks, bonds, or royalties, but he did not “describe each source of money and state the amount received from each.” In response to Question 8, Plaintiff indicates his only monthly expenses are “Halloween Chocolate <\$100.00.” As it was unable to evaluate Plaintiff’s assets or otherwise assess his application, the Court denied the application without prejudice and directed him to file either a complete IFP application or pay the filing fee by February 21, 2024. ECF No. 4. The Court warned Plaintiff that if he did not file a complete IFP application or pay the filing fee by February 21, the Court would recommend that this action be dismissed for failure to prosecute. Plaintiff has failed to respond.

The Court possesses the inherent power to dismiss an action sua sponte “to achieve the orderly and expeditious disposition of cases.” *Link v. Wabash R.R. Co.*, 370 U.S. 626, 629-33 (1962). Accordingly, the Court **ORDERS** Plaintiff to show cause why this case should not be dismissed for failure to prosecute and failure to comply with court deadlines. Plaintiff shall file a

1 declaration by March 7, 2024. If a responsive declaration is filed, the Court shall either issue an  
2 order based on the declaration or conduct a hearing on March 21, 2024 at 10:00 a.m. in Courtroom  
3 E, 15th Floor, 450 Golden Gate Avenue, San Francisco, California.

4 Notice is hereby provided that failure to file a written response will be deemed an  
5 admission that you do not intend to prosecute, and this case will likely be dismissed. Thus, it is  
6 imperative the Court receive a written response by the deadline above.

7 **IT IS SO ORDERED.**

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9 Dated: February 26, 2024

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11 THOMAS S. HIXSON  
12 United States Magistrate Judge  
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